## IN THE UNITED STATES DISTRICT COURT

## FOR THE EASTERN DISTRICT OF TEXAS

## LUFKIN DIVISION

MARK WAYNE CARTER, #1127307 §

VS. 

§ CIVIL ACTION NO. 9:08cv33

DAVID SWEETIN, ET AL. §

## ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that Sgt. Darron Lane's motion for summary judgment (docket entry #35) is **GRANTED** and the case is **DISMISSED** with prejudice. It is further

**ORDERED** that all other motions not previously ruled on are hereby **DENIED**.

So ORDERED and SIGNED this 6 day of January, 2009.

Ron Clark, United States District Judge

Pm Clark